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October 6, 2016

Via FOIA Online

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Re: FOIA Request for Records Related to Total Phosphorus Concentrations Necessary to Control Excessive Periphyton Growth in Warm Water Streams

To Whom This May Concern:

This is a request for a public records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, as implemented by the Environmental Protection Agency ("EPA") at 40 C.F.R. Part 2. For purposes of this request, the definition of "records" includes, but is not limited to, documents, letters, memoranda, notes, reports, e-mail messages (including e-mails to and from personal e-mail accounts), minutes, handouts, policy statements, data, technical evaluations or analysis, and studies.

Background

EPA Region 3 has issued several TMDLs in Pennsylvania to control alleged excessive periphyton growth in warm water streams. The water quality-based limits are premised on the assumption that an instream 40 µg/L TP concentration (growing season average) will limit periphyton growth in a warm water stream to less than 200 mg/m^2 chlorophyll 'a'. To our knowledge, EPA has never published any nutrient water quality criteria document that specified the instream nutrient concentration necessary to reduce excessive periphyton growth in streams. Various researchers have indicated that periphyton may reach "impressive levels" even in nutrient poor waters (Dodds 2006).

Request

This request seeks any and all records at EPA HQ concerning:

1. Field studies or other empirical data demonstrating that periphyton growth in a warm water stream is not expected to exceed 200 mg/m^2 chlorophyll 'a' when a growing season instream Total Phosphorus (TP) concentration of 40 µg/L is maintained.
2. Any field studies or other empirical data measuring the level periphyton growth occurring in a warm water stream with growing season TP concentrations ranging 10-40 µg/L.

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Please contact the undersigned if the associated search and duplication costs are anticipated to exceed $250.00. Please duplicate the records that are responsive to this request and send it to the undersigned at the above address. If the requested record is withheld based upon any asserted privilege, please identify the basis for the non-disclosure.

If you have any questions regarding this request, please do not hesitate to contact this office so as to ensure that only the necessary document is duplicated.

Respectfully,

/s/ *Adam Carlesco*

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